

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
(FLORENCE)**

ALEXIS DEGIDIO, individually and on :
behalf of all others similarly situated, :

Plaintiff,

V.

CRAZY HORSE SALOON AND :
RESTAURANT, INC., d/b/a THEE :
NEW DOLLHOUSE, :

Defendant,

Case No. 4:13-cv-02136

District Judge Bruce Howe Hendricks

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MOTION TO DISMISS OPT-IN PLAINTIFF ORNELLA CAVAGNARO

Plaintiffs hereby request an order dismissing opt-in Plaintiff Ornella Cavagnaro pursuant to Fed. R. Civ. P. 41(a)(2). In support of their motion, Plaintiffs state as follows:

1. Ornella Cavagnaro joined this action by filling a Consent to Opt-in on January 4, 2016. (Dkt. No. 124).
2. Ms. Cavagnaro has since asked Plaintiffs' counsel to withdraw her from the action.
3. Ms. Cavagnaro is not the lead plaintiff, and numerous other individuals have joined this suit by filing Consent to Opt-in forms. Defendant has not filed any counterclaims against Ms. Cavagnaro. The dismissal of Ms. Cavagnaro will have no material effect on the underlying litigation or the claims of other plaintiffs.
4. Based on the foregoing, Plaintiffs respectfully request that this Court enter an order dismissing Opt-in Plaintiff Ornella Cavagnaro from this action without prejudice.

Dated: February 26, 2016

Respectfully submitted,

By: /s/ James L. Ward, Jr.
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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2016, I caused a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court. The document is available for viewing and downloading and will be served by operation of the Court's electronic filing system (CM/ECF) upon all counsel of record.

/s/ James L. Ward, Jr.
James L. Ward, Jr.